

**LISTING OF CLAIMS:**

1. (Cancelled)
2. (Cancelled)
3. (Cancelled)
4. (Cancelled)
5. (Cancelled)
6. (Cancelled)
7. (Cancelled)
8. (Cancelled)
9. (Cancelled)
10. (Cancelled)
11. (Cancelled)
12. (Cancelled)
13. (Cancelled)
14. (Cancelled)
15. (Cancelled)
16. (Cancelled)
17. (Cancelled)
18. (Cancelled)
19. (Cancelled)
20. (Cancelled)
21. (Cancelled)
22. (Cancelled)
23. (Cancelled)
24. (Cancelled)
25. (Cancelled)
26. (Cancelled)
27. (Cancelled)

28. (Original) A face image photographing method comprising the steps of:  
photographing at least face images of a to-be-photographed person and fetching the  
face images as successive images of a plurality of frames;

storing the fetched successive images of the plurality of frames as a backup image;  
printing and outputting an image of a preset frame in the stored successive images of the plurality of frames;

selecting an image of a desired frame suitable for outputting of the face image from the stored successive images of the plurality of frames when the printed and output image is not adequate; and

printing and outputting the selected image.

29. (Original) A face image photographing method comprising the steps of:

photographing at least face images of a to-be-photographed person and fetching the face images as successive images of a plurality of frames;

storing the fetched successive images of the plurality of frames as a backup image;

recognizing the state of pupils based on the image of a preset frame in the stored successive images of the plurality of frames and determining whether the pupil state is suitable for printing/outputting of the face image;

printing and outputting the image of the preset frame when it is determined in said determining step that the pupil state is suitable for printing/outputting of the face image;

causing said determining step to be effected again by use of an image of a frame next to the image of the preset frame in the stored successive images of the plurality of frames when it is determined in said determining step that the pupil state is not suitable for printing/outputting of the face image;

selecting an image of a desired frame suitable for outputting of the face image from the stored successive images of the plurality of frames when the printed and output image is not adequate; and

printing and outputting the selected image.

30. (Original) A face image photographing apparatus comprising:

image fetching means for photographing at least face images of a to-be-photographed person and fetching the face images as successive images of a plurality of frames;

image storing means for storing the successive images of the plurality of frames fetched by said image fetching means as a backup image;

first printing/outputting means for printing and outputting an image of a preset frame in the successive images of the plurality of frames stored in said image storing means;

image selecting means for selecting an image of a desired frame suitable for outputting of the face image from the successive images of the plurality of frames stored in

said image storing means when the image printed and output by said first printing/outputting means is not adequate; and

second printing/outputting means for printing and outputting the image selected by said image selecting means.

31. (Original) A face image photographing apparatus comprising:

image fetching means for photographing at least face images of a to-be-photographed person and fetching the face images as successive images of a plurality of frames;

image storing means for storing the successive images of the plurality of frames fetched by said image fetching means as a backup image;

determining means for recognizing the state of pupils based on the image of a preset frame in the successive images of the plurality of frames stored in said image storing means and determining whether the pupil state is suitable for printing/outputting of the face image;

first printing/outputting means for printing and outputting the image of the preset frame when said determining means determines that the pupil state is suitable for printing/outputting of the face image;

retry control means for causing said determining means to effect the determining process again by use of an image of a frame next to the image of the preset frame in the successive images of the plurality of frames stored in said image storing means when said determining means determines that the pupil state is not suitable for printing/outputting of the face image;

image selecting means for selecting an image of a desired frame suitable for outputting of the face image from the successive images of the plurality of frames stored in said image storing means when the image printed and output by said first printing/outputting means is not adequate; and

second printing/outputting means for printing and outputting the image selected by said image selecting means.

32. (Original) The face image photographing apparatus according to claim 31, wherein said determining means detects a face contour position from the image of the preset frame in the successive images of the plurality of frames stored in said image storing means, derives an approximate positional area of pupils which lies in a relative position with respect to the contour position based on the detected face contour position, extracts positions of both pupils based on the derived approximate positional area of the pupils, recognizes the pupil state based on the extracted positions of both of the pupils, and determines whether the pupil state is suitable for outputting of the face image according to whether the pupils are normally

opened.

33. (Original) The face image photographing apparatus according to claim 32, wherein said first printing/outputting means derives a central position between both of the pupils based on the extracted positions of the pupils, determines an image cut-out area by deriving a relative position with respect to the derived central position, cuts out an image in the determined image cut-out area from the image of the preset frame and printing and outputting the cut-out image.

34. (Original) A face image photographing apparatus comprising:

image fetching means for photographing at least face images of a to-be-photographed person and fetching the face images as successive images of a plurality of frames;

image storing means for storing the successive images of the plurality of frames fetched by said image fetching means as a backup image;

first determining means for recognizing the state of pupils based on the image of a preset frame in the successive images of the plurality of frames stored in said image storing means and determining whether the pupil state is suitable for printing/outputting of the face image;

first printing/outputting means for printing and outputting the image of the preset frame when said first determining means determines that the pupil state is suitable for printing/outputting of the face image;

retry control means for causing said determining means to effect the determining process again by use of an image of a frame next to the image of the preset frame in the successive images of the plurality of frames stored in said image storing means when said first determining means determines that the pupil state is not suitable for printing/outputting of the face image;

second determining means for counting the number of retry processes by said retry control means and determining whether the counted value reaches a preset specified value;

error processing means for effecting an error process when said second determining means determines that the number of retry processes reaches the specified value;

image selecting means for selecting an image of a desired frame suitable for outputting of the face image from the successive images of the plurality of frames stored in said image storing means when the image printed and output by said first printing/outputting means is not adequate; and

second printing/outputting means for printing and outputting the image selected by said image selecting means.

35. (Original) A face image photographing method comprising the steps of:  
photographing at least face images of a to-be-photographed person and fetching the face images as successive images of a plurality of frames;  
storing the fetched successive images of the plurality of frames as a backup image;  
storing and outputting an image of a preset frame in the stored successive images of the plurality of frames with respect to one of a storage device such as a filing device and other storage medium;  
selecting an image of a desired frame suitable for outputting of the face image from the stored successive images of the plurality of frames when the output image is not adequate; and  
outputting the selected image.

36. (Original) A face image photographing method comprising the steps of:  
photographing at least face images of a to-be-photographed person and fetching the face images as successive images of a plurality of frames;  
storing the fetched successive images of the plurality of frames as a backup image;  
recognizing the state of pupils based on the image of a preset frame in the stored successive images of the plurality of frames and determining whether the pupil state is suitable for printing/outputting of the face image;  
storing and outputting the image of the preset frame with respect to one of a storage device such as a filing device and other storage medium when it is determined in said determining step that the pupil state is suitable for outputting of the face image;  
causing said determining step to be effected again by use of an image of a frame next to the image of the preset frame in the stored successive images of the plurality of frames when it is determined in said determining step that the pupil state is not suitable for outputting of the face image;  
selecting an image of a desired frame suitable for outputting of the face image from the stored successive images of the plurality of frames when the output image is not adequate; and  
outputting the selected image.

37. (Original) A face image photographing apparatus comprising:  
image fetching means for photographing at least face images of a to-be-photographed person and fetching the face images as successive images of a plurality of frames;  
image storing means for storing the successive images of the plurality of frames fetched by said image fetching means as a backup image;

first outputting means for storing and outputting the image of a preset frame in the successive images of the plurality of frames stored in said image storing means with respect to one of a storage device such as a filing device and other storage medium;

image selecting means for selecting an image of a desired frame suitable for outputting of the face image from the successive images of the plurality of frames stored in said image storing means when the image output by said first outputting means is not adequate; and

second outputting means for outputting the image selected by said image selecting means.

38. (Original) A face image photographing apparatus comprising:

image fetching means for photographing at least face images of a to-be-photographed person and fetching the face images as successive images of a plurality of frames;

image storing means for storing the successive images of the plurality of frames fetched by said image fetching means as a backup image;

determining means for recognizing the state of pupils based on the image of a preset frame in the successive images of the plurality of frames stored in said image storing means and determining whether the pupil state is suitable for printing/outputting of the face image;

first outputting means for outputting the image of the preset frame to one of a storage device such as a filing device and other storage medium when said determining means determines that the pupil state is suitable for outputting of the face image;

retry control means for causing said determining means to effect the determining process again by use of an image of a frame next to the image of the preset frame in the successive images of the plurality of frames stored in said image storing means when said determining means determines that the pupil state is not suitable for outputting of the face image;

image selecting means for selecting an image of a desired frame suitable for outputting of the face image from the successive images of the plurality of frames stored in said image storing means when the image output by said first outputting means is not adequate; and

second outputting means for outputting the image selected by said image selecting means.

39. (Original) A face image photographing apparatus comprising:

photographing means for photographing at least a face image of a to-be-photographed person;

**New Divisional Application of YOSHINORI MISUMI et al.**

indicating means for indicating a reference position (which is a glabella portion of the face) with respect to the position of pupils based on the face image photographed by said photographing means;

calculating means for calculating a cut-out range of the face image photographed by said photographing means based on the reference position indicated by said indicating means; and

image outputting means for outputting a cut-out image of the face image photographed by said photographing means based on the cut-out range calculated by said calculating means.

40. (Original) A face image photographing apparatus comprising:

photographing means for photographing at least a face image of a to-be-photographed person;

indicating means for indicating a reference position with respect to the position of pupils based on the face image photographed by said photographing means;

calculating means for calculating an area containing the pupils based on the reference position indicated by said indicating means;

determining means for recognizing the pupil state based on at least the face image of the to-be-photographed person in the area containing the pupils calculated by said calculating means; and

image outputting means for outputting the face image photographed by said photographing means as a photographing image when said determining means determines that the pupils are normally opened.

41. (Original) A face image photographing apparatus comprising:

photographing means for photographing at least a face image of a to-be-photographed person;

indicating means for indicating a reference position with respect to the position of pupils based on the face image photographed by said photographing means;

calculating means for calculating an area containing the pupils based on the reference position indicated by said indicating means;

determining means for recognizing the pupil state based on at least the face image of the to-be-photographed person in the area containing the pupils calculated by said calculating means;

image outputting means for outputting the face image photographed by said photographing means as a photographing image when said determining means determines that the pupils are normally opened; and

retry control means for causing the face image photographing process, the process for indicating the reference position with respect to the pupil positions, the process for calculating the pupil positions, and the process for determining whether the pupils are normally opened to be effected again when said determining means determines that at least one of the pupils is not normally opened.

42. (Original) The face image photographing according to claim 41, wherein said determining means determines whether the number of pupil positions detected by said detecting means is larger than a preset specified value, compares shapes of peripheral portions of the detected pupil positions with preset pupil sample data if it is determined that the number of detected pupil positions is larger than the specified value, determines whether the degree of similarity of one of the detected pupil positions which has the highest degree of similarity is larger than a preset threshold value, determines that the pupils are normally opened if the highest degree of similarity is larger than the preset threshold value, and determines that at least one of the pupils is not normally opened in one of a case wherein the highest degree of similarity is not larger than the preset threshold value and a case wherein the number of detected pupil positions is detected to be not larger than the specified value.

43. (Original) A face image photographing apparatus comprising:

image fetching means for photographing at least face images of a to-be-photographed person and fetching the face images as successive images of a plurality of frames;

display means for sequentially displaying the successive images of the plurality of frames fetched by said image fetching means;

image selecting means for selecting an image of a desired frame suitable for outputting of the face image from the successive images of the plurality of frames displayed on said display means; and

output means for outputting an image of a frame displayed on said display means immediately before the image is selected by said image selecting means as an image of a desired frame suitable for outputting of the face image.